

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TRAVELERS CASUALTY AND SURETY COMPANY  
as Administrator for RELIANCE INSURANCE  
COMPANY,

Plaintiff,

-against-

DORMITORY AUTHORITY – STATE OF NEW YORK,  
TDX CONSTRUCTION CORP. and KOHN PEDERSEN  
FOX ASSOCIATES, P.C.,

Defendants.  
-----X

DORMITORY AUTHORITY – STATE OF NEW YORK  
and TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

-against-

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.  
-----X

TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

-against-

CAROLINA CASUALTY INSURANCE COMPANY,  
BARTEC INDUSTRIES, INC., DAYTON SUPERIOR  
SPECIALTY CHEMICAL CORP. a/k/a DAYTON  
SUPERIOR CORPORATION, SPECIALTY  
CONSTRUCTION BRANDS, INC. t/a TEC, KEMPER  
CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY, GREAT AMERICAN  
INSURANCE COMPANY, NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA,  
UNITED STATES FIRE INSURANCE COMPANY,  
ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.  
f/k/a COMMERCIAL UNDERWRITERS INSURANCE  
COMPANY, ZURICH AMERICAN INSURANCE  
COMPANY d/b/a ZURICH INSURANCE COMPANY,  
OHIO CASUALTY INSURANCE COMPANY d/b/a OHIO  
CASUALTY GROUP, HARLEYSVILLE MUTUAL  
INSURANCE COMPANY (a/k/a HARLEYSVILLE  
INSURANCE COMPANY), JOHN DOES 1-20 and  
XYZ CORPS. 1-20,

Fourth-Party Defendants.  
-----X

07 Civ. 6915 (DLC)  
**ECF CASE**

**COSENTINI  
ASSOCIATES, INC.'S  
ANSWER TO  
TRATAROS CON-  
STRUCTION, INC.'S  
CROSS-CLAIMS**

-----X  
KOHN PEDERSEN FOX ASSOCIATES, P.C.,

Third-Party Plaintiff,

-against-

WEIDLINGER ASSOCIATES CONSULTING  
ENGINEERS, P.C., CASTRO-BLANCO PISCIONERI  
AND ASSOCIATES, ARCHITECTS, P.C.,  
ARQUITECTONICA NEW YORK, P.C., COSENTINI  
ASSOCIATES, INC., CERMAK PETERKA PETERSEN,  
INC., JORDAN PANEL SYSTEMS CORP., TRATAROS  
CONSTRUCTION, INC. and LBL SKYSYSTEMS  
(U.S.A.), INC.,

Third-Party Defendants.  
-----X

Third-party defendant Cosentini Associates, Inc. ("Cosentini"), by its attorneys, L'Abbate, Balkan, Colavita & Contini, L.L.P., hereby answers the cross-claim of third-party defendant Trataros Construction, Inc. ("Trataros"), upon information and belief as follows:

1. Denies knowledge or information sufficient to form a belief as to the truth of the allegations asserted in paragraphs "1", "2", "3", "4", "6", "7", "8", "9", "10" and "11" of Trataros' cross-claims.

2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations asserted in paragraphs "12" and "13" of Trataros' cross-claims and refers to the Third-Party Complaint for the exact claims asserted.

3. Denies each and every allegation contained in paragraphs "14" and "15" of Trataros' cross-claims and refers to the Third-Party Complaint for the exact claims asserted.

**AS TO THE CROSS-CLAIM AGAINST DESIGN SUBCONSULTANTS**

4. In response to paragraph "16" of Trataros' cross-claims, third-party defendant Cosentini repeats, reiterates and realleges each and every answer to

paragraphs "1" through "15" of Trataros' cross-claims as though fully set forth herein.

5. Denies each and every allegation contained in paragraph "17" of Trataros' cross-claims and refers to the Third-Party Complaint for the exact claims asserted.

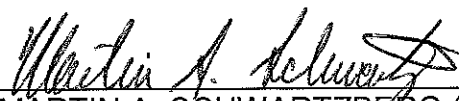
6. Denies each and every allegation contained in paragraphs "18", "19", "20" and "21" of Trataros' cross-claims.

WHEREFORE, third-party defendant Cosentini Associates, Inc. demands judgment on the cross-claims of third-party defendant Trataros Construction, Inc., with costs and disbursements and such other, further and different relief as this Court deems just and proper.

DATED: Garden City, New York  
May 8, 2008

Yours, etc.,

L'ABBATE, BALKAN, COLAVITA  
& CONTINI, L.L.P.  
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By:   
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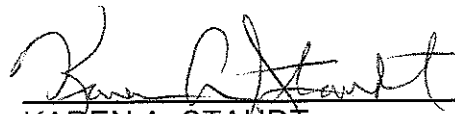
STATE OF NEW YORK    )  
                                          ) ss.:  
COUNTY OF NASSAU    )

KAREN A. STAUDT, being duly sworn, deposes and says that deponent is not a party to the within action, is over 18 years of age and resides in Suffolk County, New York.

That on the 8<sup>th</sup> day of May, 2008, deponent served the within ANSWER TO TRATAROS CONSTRUCTION, INC.'S CROSS-CLAIMS upon:

**SEE ATTACHED SERVICE LIST**

the attorney(s) for the respective parties in this action, at the above address(es) designated by said attorney(s) for that purpose by depositing same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Post Office within the State of New York.

  
\_\_\_\_\_  
KAREN A. STAUDT

Sworn to before me this  
8<sup>th</sup> day of May, 2008

  
\_\_\_\_\_  
Notary Public

MARTIN A. SCHWARTZBERG  
Notary Public, State of New York  
No. 02SC4959786  
Qualified in Nassau County  
Commission Expires December 11, 2009

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